IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

WEDNESDAY, THE TWENTY SEVENTH DAY OF OCTOBER
TWO THOUSAND AND FOUR

PRESENT

THE HON'BLE MS JUSTICE G.ROHINI

WRIT PETITION NO : 17836 of 2004

Between:

1. V. Shankar Goud S/o. Satwa Goud, Tapper/TFT Licencee
   R/O. Walegaon (V), Bhainsa Mandal, Adilabad District.
2. Bhagwan Goud, S/o. Shankar Goud, Tapper/TFT Licencee
   R/O. Degaon (V), Bhainsa Mandal, Adilabad District.

..... PETITIONERS

AND

1. The Proh. & Excise Superintendent, Adilabad District at Adilabad.
2. The Commissioner of Proh & Excise, Govt of A.P., at Hyderabad.
3. The Prohibition & Excise Inspector,SHO, Bhamsa, Adilabad.

.....RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court may be pleased to Issue a writ of Mandamus or any other appropriate writ, order or direction, declaring the action of the respondents in interfering with the TFT Licences of the petitioners valid up to 31.03.2007 without following due process of law and not considering the representation Dt. 21.09.2004 of the petitioners as illegal, arbitrary, contrary to law and further direct the respondents not to interfere with the TFT Licences of the petitioners valid up to 31.03.2007 without following due process of law.

Counsel for the Petitioners :MR.T.AMARNATH GOUD

Counsel for the Respondents 1 to 3: GP FOR PROHIBITION & EXCISE

The Court made the following :

ORDER:

Heard the learned counsel for the petitioners and the learned Government Pleader for Prohibition and Excise appearing for the respondents.

The petitioners claim to be to be licencees (TFT) in respect of Walegaon and Degaon villages which are valid up to 31.03.2007. It is alleged that some other TFT licencees of the said villages together filed an application on 20.09.2004 before the Excise authorities requesting to issue a TCS licence by forming a society or by converting the TFT licence into TCS by clubbing the said villages together. The petitioners state that since there is no provision for clubbing the villages together or to convert the TFT licence into TCS, they raised objections by their representation dated 21.09.2004. However, the same has not been considered by the respondents so far. Hence, this writ petition.

Since admittedly the representation is pending before the competent authorities, without expressing any opinion on merits, I deem it appropriate to dispose of the writ petition with a direction to the respondents to consider the objections raised by the petitioners in their representation dated 21.09.2004 and to pass appropriate orders in
accordance with law, as expeditiously as possible, preferably within a period of four weeks from the date of receipt of this order.

Accordingly, the writ petition is disposed of. No costs.

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27.10.2004

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To

1. The Proh. & Excise Superintendent, Adilabad District at Adilabad.
2. The Commissioner of Proh & Excise, Govt of A.P., at Hyderabad.
3. The Prohibition & Excise Inspector,SHO, Bhamsa, Adilabad.

4. Two C.Cs to the G.P. for Prohibition & Excise, High Court Buildings, Hyderabad. (OUT).

5. Two C.D. copies.